

**CALIFORNIA  
ENERGY  
COMMISSION**

# **NILAND GAS TURBINE PLANT**

**Small Power Plant Exemption (06-SPPE-1)  
Imperial County**



## **PRESIDING MEMBER'S PROPOSED DECISION MITIGATED NEGATIVE DECLARATION & FINAL INITIAL STUDY**

**SEPTEMBER 2006  
(06-SPPE-1)  
CEC-800-2006-008-PMPD**



# NILAND GAS TURBINE PLANT

Small Power Plant Exemption (06-SPPE-1)  
Imperial County



CALIFORNIA  
ENERGY  
COMMISSION

PRESIDING MEMBER'S PROPOSED DECISION &  
MITIGATED NEGATIVE DECLARATION &  
FINAL INITIAL STUDY

SEPTEMBER 2006  
(06-SPPE-1)  
CEC-800-2006-008-PMPD



## CALIFORNIA ENERGY COMMISSION

1516 9th Street  
Sacramento, CA 95814

<http://www.energy.ca.gov/sitingcases/niland/index.html>



JAMES D. BOYD  
*Presiding Committee Member*

JEFFREY BYRON  
*Associate Committee Member*

STANLEY VALKOSKY  
*Chief Hearing Adviser*

GARRET SHEAN  
*Hearing Officer*

# TABLE OF CONTENTS

EXECUTIVE SUMMARY.....	Page 3
PROJECT DESCRIPTION .....	3
FINDINGS .....	5
<b>FINAL INITIAL STUDY</b>	<b>Section</b>
Executive Summary .....	i
Proposed Mitigated Negative Declaration .....	v
Introduction.....	1
Project Description.....	2
Air Quality .....	3
Biological Resources .....	4
Cultural Resources .....	5
Energy Resources .....	6
Geology, Mineral Resources & Paleontology .....	7
Hazardous Materials Management.....	8
Land Use, Recreation & Agricultural Resources .....	9
Noise & Vibration.....	10
Public Health.....	11
Socioeconomics .....	12
Soil & Water Resources .....	13
Traffic & Transportation.....	14
Transmission Line Safety & Nuisance.....	15
Transmission System Engineering.....	16
Visual Resources.....	17
Waste Management .....	18
General Conditions of Compliance.....	19

This page intentionally blank.

## EXECUTIVE SUMMARY:

**RECOMMEND:**  
**APPROVAL**  
**WITH CONDITIONS**

The California Energy Commission is the State agency granted exclusive authority to review and license proposals to construct and operate large electric power plants, including the authority to exempt proposals under 100 MW from our certification review. Proposals granted an exemption are subject to local permitting processes. On March 13, 2006, the Imperial Irrigation District (IID) filed an application for a Small Power Plant Exemption (SPPE).

The Energy Commission Committee assigned to the Niland Gas Turbine Plant Project recommends granting a Small Power Plant Exemption to the Imperial Irrigation District (IID) for its 93 MW power plant project in Niland, California, together with the following highlighted measures to mitigate potential environmental and community impacts and comply with applicable laws, ordinances, regulations and standards (LORS):

### **PROJECT DESCRIPTION:**

The IID proposes to build and operate a nominal 93 megawatt (MW) simple-cycle power plant on a 22-acre site northeast of Niland, California. This proposed facility is referred to as the Niland Gas Turbine Plant (NGTP). IID would own and operate the facility. The proposed site is owned by IID and is adjacent to IID's existing Niland Substation. The project would supply the internal power generation needs of the IID service territory during periods of peak electrical demand.

The plant would consist of two General Electric LM6000 PD SPRINT NxGen combustion turbine generators (CTG) equipped with inlet air chiller coils, selective catalytic reduction (SCR) for NOx control, zero liquid discharge (ZLD) wastewater treatment system, water storage and treatment systems, gas compressor equipment, and electrical transmission and interconnection system and associated auxiliary systems and equipment.

**LOCAL  
ECONOMIC  
BENEFITS:**

Construction of the project, to be completed in May 2008, will require nine months with an average of commuting 40 workers and a peak of 60, from Imperial and surrounding counties. Project cost is estimated at \$69.4 million, with a construction payroll of \$10.4 million. The value of construction costs within Imperial County is estimated at \$1.3 million. Construction sales taxes amount to \$4.2 million. Annual operation payroll would be \$200,000, with approximately \$188,000 of annual purchases in Imperial County. Local merchants and restaurants in Niland will benefit from sales to construction workers.

**NOISE:**

The three closest sensitive residential noise receptors are located 1,600 feet east of the project; and the J & H Trailer Park is located 2,600 feet west of the project. Based upon Energy Commission practice of determining noise impact using the quietest four consecutive hours of the night, the project could create significant adverse noise impacts in this fairly quiet rural setting if not mitigated. Nighttime noise survey measurements were affected by nearby vehicular and rail traffic, railroad crossing bells air conditioners running all night during the hot summertime, and crickets and frogs. As a peaker, the project is intended to operate mostly during the hot months (May through October), including overnight as necessary to meet air conditioning load.

For this project, the most stringent noise limitation is the Imperial County General Plan, which establishes a limit of 45 dBA (Leq) measured at the property line of the receptor during nighttime hours. With the noise mitigation IID will apply to the project, the predicted maximum nighttime noise from the project operating during hot summer months will comply with the General Plan limit, since household air conditioners as well as frogs and crickets will be contributing to the ambient nighttime noise levels. To assure compliance with the General Plan and no significant of nighttime residential noise receptors after the project begins operation, the Commission requiring 'before and after' noise surveys and establishing a public noise complaint resolution process. (Conditions: **NOISE 2 & 3**)

**DISCUSSION:**

No areas have been identified in the Environmental Checklist of the Final Initial Study as having the potential for significant environmental impacts. A highlight of the environmental analysis and mitigation follows:

- ✓ To mitigate potential noise impacts, particularly nighttime noise, the project will meet Imperial County's General Plan

noise limit by on-site mitigation to reduce receptor noise to not more than 45 dBA.

**FINDINGS:**

Based upon the entirety of the uncontested record in this proceeding, including the Small Power Plant Exemption Application, Applicant's Data Responses, the Energy Commission Staff's Draft and Final Initial Study and Proposed Mitigated Negative Declaration, and comments by agencies and others, the Commission makes the following findings:

1. With the mitigation measures and Conditions of Exemption of the Final Initial Study, incorporated by reference, and compliance therewith verified by a reporting and monitoring program, the project will cause no unmitigated significant environmental impacts or adverse impact to energy resources.
2. The project is granted a Small Power Plant Exemption under Public Resources Code section 25541.
3. The Proposed Mitigated Negative Declaration and Final Initial Study were prepared in compliance with the California Environmental Quality Act and all applicable State and Commission Guidelines.

Dated: September 19, 2006

**ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT  
COMMISSION**



JAMES D. BOYD  
Commissioner and Presiding Member  
Niland SPPE Committee



JEFFREY D. BYRON  
Commissioner and Associate Member  
Niland SPPE Committee